IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3385 OF 2002
IN
INCOME TAX APPEAL (LDG.) NO. 1009 OF 2002

The Commissioner of Income Tax. ... Appellant.

V/s.

M/s.Earnest John & Co. Ltd. ... Respondent.

Parag Vyas for the appellant.

Arun Sathe i/b. Desai & Diwanji for the respondents.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 4th October 2005.

P.C. :

. Heard learned counsel for the parties.

. No reply or affidavit in opposition has been filed to oppose the prayer for condonation of delay. In this view of the matter, considering the absence of serious contest, the delay is condoned. Office is directed to register the appeal and place it for admission.

. Accordingly, motion stands disposed of with no order as to costs.

(J.P.DEVADHAR, J.) **(V.C.DAGA, J.)**